General Business.

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Excursion Tickets to points down river, during JUNE, JULY & AUGUST TUESDAYS, THURSDAYS and SATURDAYS | magistrate who has performed his CARD TICKETS 10 return trips from Newcastle, \$3.50 brought before him for violating the Tickets to be had from Mr. R. R. Call, Newcastle; Messrs Roger Flanagan and Geo Stothart, Chatham; or from W. T. CONNORS, the local government will dare to dis miss a magistrate, duly commissioned for performing his evident duty carrying out and enforcing the law, and

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PUMPS, PUMPS, Sinks, Iron Pipe, Baths, Creamers the very best, also Japanned stamped and plain tinware in endless variety, all of the best stock which I will

A.C. McLean Chatham.



June 228 S DAMARA; Ate 10 These steamers have superior accommodation for first-class passengers. Well ventilated saloon and sleeping apartments amidships where least motion is felt. Lighted by electricity Do not carry cattle Insurance effected at lowest possible rates

FURNESS, WITHY & CO Ltd, Commission and Forwarding Agents, Halifax, N S WANTED.

A good man in your district to represent the "Fonthill Nurseries of Canada,"—over 700 acres. The largest in the Dominion. Position permanent. The largest in the Dominion. Position permanent.
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With the increasing demand for fruit, a position with us as salesman will pay you better than engaging in farm-work. Send us your application and we will show you how to earn good money.
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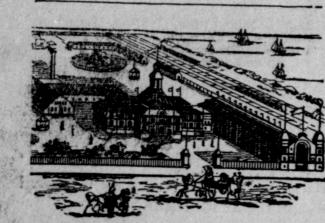
THE MOST DELICATE PERFUMES AND SACHETS.

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HAIR, TOOTH AND NAIL BRUSH-ES, COMBS AND WHISKS. CHAMOIS, SKINS, LADIES' AND GENTS' SHOUL-

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1895, SEPT. 24 TO OCT. 4

ST. JOHN, N. B. Will open their fair, on their largely extended fair grounds south of Sheffield Street on

SEPTEMBER 24, 1895.

Our exhibits will include

LIVE STOCK, AGRICULTURAL AND HORTICUL-TURAL PRODUCTS, MACHINERY AND MAN-UFACTURES, FINE ARTS, ETC., ETC. Cash prizes are offered in the

LIVE STOCK, AGRICULTURAL

Horticultural Departments

Special fares will be arranged with railways and steamers for freight and passengers.

Intending exhibitors should apply at once for CHAS. A. EVERETT.



Odd Fellows' Hall, St. John, N. B.

Miramichi Advance.

Trial by Newspaper.

It is very indecent on the part the Advocate, especially while the court duly constituted for the purpose of hearing the testimony in the matter is sitting, to not only cast reflections, on the court itself, but to entirely misrepresent the subject of the enquiry being carried on before Commissioner Gilbert. The Advocate under the caption of "That Commission" says :-

"Mr. Gilbert, Q. C., of St. John, was in Chatham yesterday to open the enquiry into certain acts complained of as being done contrary to law by Police Magistrate, S. U. McCullev the recent social club cases. It seem that these aggrieved parties, though few in number, have influence enough with the local government to force an enquiry with a view to the dismissal of a duties faithfully and fearlessly, in fact too fearlessly to suit those who were laws of the country. The people will watch the case closely to see whether

which his oath required him to do." We publish, in another column. full report of the proceedings of the court, including the charges which ar the subject of enquiry, and our read ers will observe that there is not word in the whole of it to justify the Advocate's attack. Such newspaper comments are calculated to bring the the railway town. press into general contempt. The Advocate should know that the petition of Messrs, Armstrong and Tingley, having been presented to the Governor-in-Council, the commission issued as a matter of course. If in justice is done by the Commissioner o government after the testimony submitted, it will be time enough t

try the case by newspaper. The readers of the St. John Tele graph of Thursday last were surprised to find in it an editorial which in dicated that it had tried and condemn ed Capt. DeGrace of the steamer Mir amichi, while the inquiry into the late lisaster was pending and he was actually awaiting the action of the Magistrate's court and, doubtless, that of the grand and petit juries in the coming session of the circuit court Would it not be well for a certain class of newspaper writers to confine the expression of their views more within the limits of the Golden Rule and, in delivering their judgment in matters of law, to avoid doing that which the law very propery forbids ?

Miss Sophie Benson's Injuries.

The matter of the injuries sustained by Miss Sophie Benson on the 11th inst... in consequence of the horse attached to the waggon in which she was sitting being frightened by the noise made by the Salvation Army, is again brought to our attention, by the fact that the injured lady is still unable to leave her bed, and that her friends very properly think there should be some redress for what she has

They have been in communication with the Attorney-General on the subject, and the bye-laws of the Municipality relating to the preservation of Order has been submitted to him. Sec. 2 is as

Whoever shall shout, or make any unusual noise in, or upon any of the streets, highways, lanes squares or wharves of the County calculated to disturb or annoy the inhabitants, shall be liable to a penalty of \$4 for each offence, and should such shouting or noise occur in the night time. the person offending shall be liable to a penalty of \$8 for each offence.

The Attorney-General, writing to Mr. M. S. Benson says:

1 don't know of any reason why the members of the Salvation Army who in dulge in the beating of drums and shouting and otherwise frightening horses and endangering peaceable citizens should not be liable to prosecution under such byelaw as you describe. Of course, the individuals who had made the noise and racket should be personally proceeded against on a complaint of this kind, and only those who can be proved to have en a party to it. The case in which your sister and her nephew met with the nishap stated is a very serious one, unjuestionably, and I would be of opinion that the persons who were actually guilty of frightening the horse would be liable to influenza.

damages in a civil action. After referring to the fact that those who are set at making the noises by the Army would probably not be in a position to pay substantial damages recovered against them, the Attorney General goes on to say :-

"The only thing that can be done is to prosecute under the Municipal bye-law as above mentioned. This would not repair damages or restore your sister to health, or be any compensation to her. It might, however, to some extent, contribute the abatement of the nuisance.'

The difficulty to be contended with Chatham, in this matter, is that the Army people have been encouraged by a decision of a former police magistrate several years ago, to practice the nuisance complained of. A horse was frightened by the drum-beating and shouting of the Army on the street and a child run over. The Councillors of the day were appealed to and one of them, at request of an interested citizen, caused the offending Farm and Dairy Products. persons to be brought before the police magistrate under the very byelaw mentioned, but he decided favor of the nuisance, and we have the fruits of it in the maining of Miss Benson. Those interested in the maintenance of good order on the streets and in securing, as far as possible, the safety of those who use them in allawful manner. feel that they are helpless, when the law is set aside and treated as if it were meaningless, as was done in order that the

> permitted to any other combination of half dozen or dozen person. We do not, for a moment, wish to The more crystalline the metal the less interfere with the work of the Army in Chatham or elsewhere, and believe that its members have an undeniable right to conduct their worship according to their belief, but they should do so without inflicting injury upon their neighbors, as dition, weight, length and other physical they have done and will, doubtless, con- properties of such substances as the tinue to do so as long as they are sustain- directors may from time to time determine ed in it by those in high places who en- and to issue certificates of the tests. The

Army might continue to do what is not

redress, but the injured must remain helpless when license is permitted to rule.

Government Sustained in Westmor-The Manitoba School Question made no difference.

Saturday was polling day in the County of Westmorland to fill the vacancy caused by the elevation of Hon. Josiah Wood to the Senate. The greatest efforts were made in the respective political camps to secure the return of their candidates. H. A. Powell and Amassa E. Killam

resigned their seats in the Assembly at Fredericton to run against each other, Mr. Powell being the government candidate and Mr. Killam that of the opposition.

The opposition get the credit of making big fight for success and their speakers from abroad who came into the county to promote Mr. Killam's chances for victory argely outnumbered those on the governnent side.

In the general election Mr. Wood, the government candidate, had a majority of 2148, but he had an advantage over his opponent, Mr. Goorge, which was entirely wanting on Mr. Powell's part in the late campaign, for Mr. Wood was the wealthiest and best known man and was a resident of Sackville town, Mr. George being comparatively unknown and a resident of a country district in the parish of

Mr. Killam had the advantage of having been much longer in politics than Mr. Powell, being well known all over the County and, above all, being a resident of Moncton, the biggest voting city, and parish, while Mr. Powell, was resident of Sackville and would not therefore have so large a personal following in

tion leaders Friday night conceded Powell's election by about 200 majority. Following are the returns by polling districts, by parishes and the total vote-

1-	each compared with those of the general				
r			n 1891 :	TT	
is	Election 1891			Election 1895	
0				:	
	George.	poo,		Powell.	
	2	*	City of Moncton,		
-	27 40		$\frac{1}{2}$	75 62 96 62	
d	40	114	3 4	74 47	
-	53 23		5	156 85 87 42	
	3t 36	108 121	6 7	64 24 112 88	
•	35	89	8	58 40	
-	285	945		722 450	
8	37	78	Parish of Moncton.	70 72	
S	24	70	2	50 75	
е	43	82 55	3 4	73 72 51 62	
	54	98	5	76 97	
t	27 11	56 77	6 7	28 66 53 34	
	240	516		401 478	
			Parish of Salisbury.		
1	39 51	83 67	1 2	57 59 44 69	
е	46	62	3	37 78	
8	65 78	60 58	4 5	42 86 37 78	
e	279	330		217 370	
,			Parish of Dorchester.		
1	78 30	48 63	$\frac{1}{2}$	40 85 48 54	
5	32	89	3	69 47	
	39 21	75 72	5	74 48 84 34	
	23 12	116 50	6 7	72 36 35 15	
	36	57	8 full returns		
1	29	72	ell's majority 15	63 46	
	300	642		485 365	
			Parish of Sackville.		
	44 47	67 53	$\frac{1}{2}$	72 34 45 49	
	46 43	65 91	3 4	97 39 106 59	
	27	113	5	109 25	
	38 32	79 103	6 7	70 53 85 52	
1	287	571			
			Parish of Westmorland.	584 311	
	40 43	41 107	1 2 .	44 97 106 52	
1	57	24	3	23 62	
1	56	86	**	71 71	
1	196	258	Parish of Botsford.	244 2 82	
1	39	77	1	87 56	
	43	95 55	2 3	88 67 29 58	
	36	100	4 5	98 60	
	71	96		78 100	
	230	423	Parish of Shediac.	380 341	
	68	61	1	77 83	
1	30 47	97 219	2 3	104 42 130 78	
1	43 26	69 58	4 5	43 60 88 56	
1	12	80	6	188 7	
1	24	46	7	103 43	
1	250	530		733 369	
1	2057	4205	Grand totals	3766 2968	
1	A	dding	Powell's majority	of 15 i	0
1	Adding Powell's majority of 15 in Dorchester No. 8 puts him 813 ahead.				

There is, however, a difference between this result and some telegraphed to other papers, so we shall not have the exact returns until declaration day.

"Advance" Scientific Miscellany.

TRAFFIC-WRITING BACKHAND-WELD -A BOILING SOLID AND BURNING DIA-MONDS-FROZEN MILK-IRON IN FOOD-A NEW TESTING LABORATORY-THE LAR-

It has been noticed that workmen attending pans in salt works do not have cholera, small pox, scarlet fever or

In the pavement of one Paris street not less than six different kinds of wood have been used, viz .- pitch pine, pine from the Landes, teak, red harri, box, and a particularly hard wood from Borneo. From time to time a committee will report on the most durable of the woods

The Danes and Swedes now send to Newcastle each week about 100 barrels of frozen milk, each of 100 pounds. The milk is treated by a patent process, being first heated to about 165° F., then cooled to 50°, and afterward frozen three hours. A half-barrel of this product is placed in each barrel, which is then filled up with unfrozen milk. Thus barreled the milk keeps fresh 26 days.

A photograph 261 feet long and 3.6 feet wide, giving a view of the recent annual show of the Royal Agricultural Society at Sydney, has been produced by the Government Printing Office of New South Wales. It was taken on 8 plates, 15 by 12 inches in size, and enlarged on bromide paper. The picture is good, and photograph is claimed to be the largest ever produced, succeeding a view of Sydney, 24 feet long, which the same office exhibited at Chicago as the largest.

New facts in welding by pressure at emperatures below the melting points of the metals have been reported by the Royal Society of Belgium. Pressed together by hand-screws, cylinders of gold, lead and tin were well united in a heat of 200° to 400° for 3 to 12 hours, bismuth and antimony less perfectly so. was the softening.

The Chamber of Commerce Testing House, just established at Manchester, Eng., proposes to ascertain the true con-

test the true counts, length, twist and strength of yarns. Cotton yarn will form the principal subject of test for a time, but it is hoped that the work of the in stitution may be gradually extended so as to include the most of the important articles produced in the district.

Mirror writing-that is, reversed writing which must be held before mirror to be read-is said to be cultivated by many persons for private correspondence by postal cards. It is not difficult to do, especially with the left hand, and left-handed persons sometimes write in this way naturally. An English physician, Dr. Crochley Clayham, mentions the case of a partially paralyzed female, who taught herself to write with the left hand and who wrote toward the mirrorwise-at first, and afterwards learned at school to write in the usual way. In moments of forgetfulness she would write one line toward the left and the next toward the right.

An investigation by Prof. Bunge, German physiologist, shows that spinach contains considerably more iron than the yolk of eggs, which is followed in respect by beef, apples, lentils, strawberries, white beans, peas, potatoes, and wheat, in the order named, cow's milk being near the bottom of the list ordinary food substances. The small proportion in milk, the chief food of infant life, led to experiments to determine the quantity of iron in animals of different ages. It was found that young animals contain more than older ones-the body of a rabbit or guinea pig an hour old, for instance, having more than four times as much as a similar animal two and half years old. Prof. Bunge believes to be unwise to continue an exclusive milk diet for infants for a long time. He also concludes that a great amount of iron is prescribed in tonics unnecessarily, and An inside estimate made by the opposi- that in many cases it may only serve to cause digestive derangement.

The thunderstorms of Madras have been studied by Prof Michie Smith, who tells the Scottish Meteorological Society that the first striking fact he observed was that at certain seasons of the year sheetlightning was seen almost every night, always in a west or southwesterly direction, and always near the horizon. He suggests that these discharges occur in the region where the moist and dustless sea wind meets the dry and dusty land wind, one being perhaps positively electified and the other negatively. It is not easy to explain exactly lightning displays in which as many as 300 flashes per minute have been counted, this rate being kept up for an hour or an hour and a half. The idea that sheet-lightning is a reflection from a distant storm is nonsense. Another interesting peculiarity of this region is that the heaviest rains are unaccompanied by thunder, while the displays of lightning are not accompanied by rain.

The idea of a boiling solid is somewhat bewildering, but Prof. Dewar points out that we have such a substance in solidified carbonic acid, which has the singular property of boiling at a temperature lower than its melting point. To illustrate this before an audience, some solid carbonic acid was pressed into a ball, suspended by a cord in water in a glass trough, and an image of it projected upon a screen. Gas was then seen to be given off freely. The frozen carbonic acid was no colder to the fingers than common snow, because in reality it never came in contact with the skin when being handled. Another striking experiment-never exhibited before-was the burning of diamonds in liquid oxygen. When two or three red-hot crystals were thrown into the liquid they were at once cooled and sank to the bottom, but a diamond made extra hot by the blowpipe caught fire and burned on the surface of the oxygen with a steady flame.

The rapid progress in means of transportation has caused the need of light and the other day to the British Balloon the suspended cable-way which has been put into operation near Brighton. The cost of a light railway of this kind is said to be about \$750 per mile, exclusive of cars and engine Such a line is vastly cheaper to construct than an ordinary railway of equal capacity, there is practically no interference with the land, and there are neither locomotives nor level crossings. The system is capable of enormous development. There is no reason why whole trains of railway carriages, wagons, etc., may not be taken across rivers by it, and mountains may be ascended by zigzag lines. It will be especially important to many manufacturing districts, affording cheap and ready transport for goods from the manufacturer to the railways.

Investigation of Charges against Police Magistrate McCulley of Chatham.

On Tuesday at 11 a. m. George Gilbert, Esq., the commissioner appointed by His Honor the Lieutenant-Governor to investigate charges preferred by Messrs. R. H. Armstrong and Zenas Tingley against Police Magistrate S. U. McCulley of Chatham Chambers, Chatham.

Mr. Gilbert read his commission from His Honor the Lieutenant-Governor and opened

R. A. Lawlor and W. C. Winslow, Esqrs., appeared for the petitioners and Robert Murray, Esq., for Police Magistrate McCulley, who, himself, was also present. Commissioner Gilbert said the course he should take would be to have plainants go fully into proof of their case first, and then Mr. McCulley would have that he would bring it down, or words to the right to answer; then, the complainants | that effect. He did not then refuse to let would be heard in rebuttal in any new matter raised by the defence.

Mr. Lawlor then read the following, which comprises the charges to be investigated by Commissioner Gilbert :-To His Honour, The Honorable John James Fraser,

The petition of the undersigned, Robert H. Arm strong, of the town of Newcastle, in the County humberland and Province of New Brunswick, merchant, and Zenas Tingley of the town of Chatham, in the County and Province aforesaid, barber,: That Samuel U. McCulley, Esquire, is Police and of Chatham, in the said County of Northumberland, having been appointed to that position in the year I891, since which time he has continued to exercise That the town of Chatham, aforesaid, is the most populous, wealthy and influential centre in the said Police and Stipendary Magistrate in the said town is one of very great importance. That on or about the month of July last past, the said Samuel U. McCulley did, as your petit

ers are informed and verily believe, refuse to allow Mr. R. B. Bennett, an attorney of the Supreme Court, to inspect the record in a case tried before im, while he did permit Mr. Robert Murray, Jr., an attorney of the Supreme Court, not only to inspect the said record but to take the said record to his own office entirely out of the cust ody and control of him, the said Samuel U. McCulley. That on, or about the month of May last past, a cause was tried before the said Samuel J. McCulley wherein one Emile Malive was defendant and William Johnston, a brother in-law of the courage neglect of the law's observance. first work will be to determine the moisThe grievance is one that calls loudly for ture in samples of cotton and wool, and to

appeared as counsel Johnston the complainant and prose-That the said Samuel U. McCalley on application of the said Robert Murray Jr. no cause being shown by affidavit, and against the protests of the Counsel for the said defendant, adjourned the hearing of the said cause from The Police Office at Chatham aforesaid, to the dwelling house of Mrs. Robert Murray Sr., the mother of the said Robert Murray Jr. and the mother in-law of the said William Johnston, the complainant and prosecutor. That after taking the evidence of the said Mrs. Robert Murray Sr. the said Samuel U. McCulley again adjourned the hearing of the said case to The Porice Office and there convicted the said Emile falive of the offence charged, imposing a fine of Twenty Dollars and costs: That the defendant then asked for a copy of the proceedings that she n.ight review the judgment of the said Magistrate That when asked to certify the said proceedings for review the said Samuel U. McCulley falsely stated in the copy furnished that the said five and costs had been paid, well knowing at the same time that the said fine and costs had not been paid but only deposited as security that the said Emile Malive might be set at liberty pending the decision on review. That the said Robert Marray Jr. the Attorney for the prosecutor, William Johnston, took the fine and costs so deposited as aforesaid and gave

suitors in his Court to make a deposit with him before he will take their information or process, which amount he taxes against instance, thereby corruptly securing excessive fees That your Petitioners are informed and verily elieve that the said Samuel U. McCulley charges laintiff withdrew the complaint upon the defendant paying the costs he required the said defendant to pay the sum of two dollars whereas, as your petitioners are informed and believe, he could at the utmost but tax the sam of one dollar That your petitioners are informed and verily believe that the said Samuel U. McCulley acts in ollusion with certain persons whereby he secure to himself and to them the whole or a portion of the witness' fees taxed by him against unsuccessful defendants and which should have been paid to the elieve that the said Samuel U. McCuiley by promis ing convicted violatars of the law, when in custody that he would mitigate the se verity of their punish

eceipt therefor in which he imposed conditions

upon the said defendant as to proceedings on review

and he also gave an order to the keeper of the Lock

up at Chatham aforesaid to release the said Emile

alive from custody, which was accordingly done.

believe that the said Samuel U. McCulley requires

been a party to such action on the part of the in dividuals with whom he has collusively acted as That your petitioners are informed and verily believe that the said Samuel U. McCulley on or about the month of July last past refused to enter tain or hear an application made by counsel for the release of one Boyle, and further refused to permit counsel to cite authorities in support of application, said Boyle being then before the said magistrate taking his trial for assault. believe that the said Samuel U. McCulley well knowing that he is under the decisions of the Supreme Court the sole judge of the sufficiency of the evidence to convict the person charged with an offence. spitefully and maliciously convicts persons charged

suspected violators of the law, has induced unworthy

men to give false testimony and placed a premium upon perjury: or that if he himself has not he has

there is absolutely no evidence to warrant such Your petitioners allege and charge that the said Samuel U. McCulley is grossly partial in administer-ing the laws; that he fraudulently and collusively pecuniary advantage: that he charges excessive and given credit to the purchased testimony of convicted criminals spitefully and maliciously rejecting petitioners are prepared to prove by sworn Your petitioners therefore pray that Your

gate the charges hereby preferred against the said dininistered the laws since his appoin And your petitioners as in duty bound will ever

ROBERT H. ARMSTRONG ZENAS TINGLEY.

Mr. Murray said he had no formal reply to make to the charges read, but would answer the case as made out in evidence. Mr. Lawlor said he understood His Honor's commission would admit of his going into other changes besides those specified, Commissioner Gilbert said his commission

was broad enough to cover any charges that might be developed, in connection with the police magistrate's discharge of his duties, and he read the last section of his authority to show this. R. B. BENNETT

the first witness called and being sworn, said: I reside in Chatham and am barrister-at-law; know Samuel U. McCulley, police and Stipendiary Magistrate for the town of Chatham. Murray admits the appointment of Mr McCulley in the fall of 1891.1 I have practiced before him in my capacity of attorney on several occasions. [Mr. Lawlor reads 1st charge.]

I think it was on July 1st, 1894, a young man named Boyle was arrested and taken to the lock-up house by the police man. I was sent for and went to the lockup and saw Boyle, and next morning I appeared as counsel to defend him. think that a married woman named Brede had charged Boyle with assault, Boyle inexpensive railways for certain places and had not been arrested by warrant, nor had uses to be more keenly felt. In a lecture he been summoned on the charge on which he was taking his trial. I contended that Society. Mr. W. J. Brewer described the policeman had no right to take Boyle, inasmuch as he was not taken while in commission of the offence, and I protested against the magistrate proceeding with the trial. The magistrate did proceed, how ever. Shortly before adjournment for dinner, I stated to the magistrate that I wished to make a motion for the release o Boyle, on the ground that he was not legally in custody. The magistrate refused

to entertain the application. [Record of the case produced.] Mr. Murray objects to the witness seeing the record, which was not in his writing. Mr. Lawlor said witness wished to see it, merely to refresh his memory as to what took place at that time.

Commissioner Gilbert said that as th record was produced in court he would rule that the witness might look at it for the purpose, and only for the purpose, of refreshing his memory.

[Mr. Murray's objection, however, was Witness: The court, refusing to entertain my application, I proposed to cite authoritles in support of it and Mr. McCulley would not hear them. I had the authorities with me, one of the cases being from

1st Hannay's reports. I then said to the magistrate "If you will not hear the authorities, you must put that in the record. opened his court in the Winslow Law | This he, at first, refused to do, but after my persisting in it, he did so. I do no recollect that he gave any reason for no entertaining the application, and refusing to hear the authorities cited. Boyle was convicted and, subsequently,

sent to jail, as I believe.

after-I went to the place of business on Water Street of S. U. McCulley, and asked to see the record in the case against Boyle. He said the record was at his house, and me see it. It was, I think, the next day that I called at his place of business and me see the record and said, if I wanted

again asked to see the record: we had some conversation, and he declined to copy I could pay for it. I said my man was poor and I merely wanted to inspect the record and take extracts from the pro ceedings. It was as Boyle's attorney that] made the application, as I told the magistrate I contemplated taking further proceedings. After the magistrate's refusal spoke to my partner, Mr. Tweedie. reference to it. In the end, I saw the record. It was produced for my inspection

access to the records of his Court. I have | did me. no knowledge of Mr. McCulley saying I should apply at the police court for the

refusal to show you the record was it that he did show it to you? days after I first asked to see it.

you went the last time to see the

Witness: It was after Mr. Tweedie told me that if I would call on Mr. McCulley now I could see it, as he had spoken to Mr. McCulley and he would now show it to me. would not have gone again to him but for this, after his former refusal.

second charge. John Fadil came into my office and asked me to appear for and defend a woman who had been arrested for peddling without license. Shortly after, I went to the lockup house and the court met, Mr. McCulley presiding Mr. Robert Murray-present counsel for Mr. McCulley-appeared for the complainant, who was William Johnston,

Murray's brother-in-law. Emily Malive was the prisoner's name. She was arraigned for peddling without a license. appeared for her and pleaded, not guilty Mr. Murray (I am speaking from recollection, now) said he was not prepared to go on that evening, and asked that the case be adjourned until next morning. said if there was to be an adjournment, the woman should be released on bail, and proposed John Fadil as bail. She was admitted to bail, altho' Mr. Murray objected, and the court was adjourned till

The court met, pursuant to adjournment the trial commenced, Mr. Murray sti appearing for plaintiff and I for defendant, Mr. Johnston, the complainant was the first witness called. After his testimony was finished, Mr. McCulley adjourned the cour to the house of Mrs. Robert Murray, senior, mother of counsel for the complainant and mother-in-law of the complainant. I pr tested against being dragged around th town to try a case; no affidavit was produc ed or read, nor was it made to appear to the court in my presence, in any way, that the witness had been subprenaed, was aged infirm or ill, However, the court was adjourned, and we went up to Mrs Murray's, viz: the Magistrate, Mr. Murray, Mr. Johnston, myself, Emily Malive-the risoner-her sister, John Menzies and, think, the policeman, and met in one of th rooms of the house. Mrs. Murray's evidence.

Mrs. Murray's evidence was taken an the court again adjourned to the police office, the case was closed and the prisone fined \$20 and costs.

I applied for and got a copy of the pro trate was, subsequently, set aside. The defendant, at the end of the trial, was committed, and was afterwards released. her fine being paid, as I am informed and believe, to Mr. Murray. Mr. Murray: That is not so.

ceedings from Mr. McCulley, I saw it was stated therein that the amount had been paid. I asked Mr. McCulley to alter that, as the copy would be no good to use in that way. He declined to do it. He gave no reason for his refusal. I stated to Mr. Tweedie what the magistrate had done. Mr. Tweedie took the proceedings out with him and that evening I got them from Mr. McCalley with the necessary correction made. The correction was the omission of the statement that the fine had been

the fine had been paid to him.

Witness: He did not, He did not, at to alter the copy of proceedings.

Witness: I had such a conversation with Mr Lawlor: Of your own knowledge, do ou know that money was paid for your

client as fine in the case to Mr McCulley? Witness: I do not. I got a sum of money from him after his judgment was reversed. [Paper shown to witness] This paper is in Mr. Robert Murray's handwriting.

I first saw this paper shortly after the trial of the cause. It was given to me in my office by either the defendant or her sister : have had the custody of it ever since. At that time, I think Anthony Forrest was keeper of the lockup. Emily Malive was dismissed from arrest before the proceedings

I direct your attention to charge No. 6. a court or burlesque justice tends to lessen the respect in which the community holds Do you know anything of that? I know agood deal about it, but it is mixed up with hearsay and my personal knowledge was gained by professional connection with the case and therefore who shared your opinion?

generally by Police Magistrate McCulley while conducting cases in his court. public opinion-reflecting on the magistrate Mr. Murray objects to any general statement on this subject. Witness may state

any particular case of wrong treatment. be put differently. Mr. Lawlor might ask the instances in which witness has been badly treated. How have you been treated? Witness: I have been treated in a gross-Magistrate of Chatham.

Mr. Lawlor: Do you consider him com petient and qualified to administer the laws and discharge the duties as Police Magistrate

Witness: From the bias and prejudic with which I have known the police magistrate to approach the consideration of questions which were submitted to him for adjudication, and in which I have been interested, from the grossly partial manner in which he has dealt with arguments of Shortly after-next day, or a day or two | counsel opposed to me-notably Mr. Murray -I consider him wholly incompetent to

Mr. Lawlor: Can you give the court any

instances of such bias and prejudice? Witness: The pedlar (Malive) case is one in which the magistrate displayed the bias and prejudice referred to. He allowed the ourt to be adjourned at Mr. Murray's instance and to become a peripatetic one which I believe, he would not have allowed for me; also in admitting testimony pro-It was not shown by affidavit that a subposed by Mr. Murray and objected to by me more readily than testimony offered by me and objected to by him.

His refusal in the Boyle case to hear that court not adjourned to Mrs. Murray's authorities cited was another instance of his unfairness. His refusal to change the memorandum at the foot of the proceedings in the Malive case was another.

In the case of Robert Stewart against Geo. and Alex. Lyons, in which I appeared Mr Murray: Do you say as a lawyer, I have no personal knowledge that Mr. before him, he allowed Mr. Murray much | that it should have been made to appear by | July 5 1895. McCulley allowed Mr. Murray to have more latitude in asking questions than he affidavit to the court that the witness was il

knowledge, or from what Mr. McCulley said to you, any instance of his receiving The Commissioner :- How long after his money from suitors before issuing processes? Witness: In the case of Robert Stewart an assault case against Lyons-he said he Witness: I think it was three or four | would have to have \$2.00 before he could

Mr. Lawlor: We will now take up the

Witness: One afternoon in May 1894

next morning. fairly accurate; not perfect. Information

ceedings, and the judgment of the magis-

Witness: After I got the copy of prc-

Mr. Lawlor: Did Mr. McCulley, at the it was an outrage to drag this poor girl-

the time, give me any reason for his refusal Mr. Lawlor: Did you tell Mr. Murray something to the effect that the money had not been paid, but merely deposited, pending a final decision of the case.

God Save the Queen !"

Court adjourned until 2.30. Court reassembled, pursuant to adjournment. R. B. Bennett's testimony was remagistrate was very cross. I considered the

whole thing a farce and outrage on justice, and I was helping the farce along. I said "We now have the court as usually constituted-Mr. Murray Mr. Menzies and the magistrate," I said a good many nasty things on the way up, to help the fun along. journment tend to defeat justice?

Will you state how you have been treated

The Court: I think the question should editor of the Chatham ADVANCE and Mr McCulley are not on good terms? y unfair and partial manner by the Police

of Chatham. Mr. Murray objects, as the court is no sitting to get this witness's opinion on that subject. Facts should be stated and the court can form its own opinion from them, Question admitted, but, the Commissioner says the answer will have only the weight to which it is legally entitled.

mete out justice to the parties who appear for the decision was reversed.

Mr. Lawlor ;-Do you know, of your own | adjourning to a private dwelling?

conviction was not set aside because of that Witness: I den't, of my own knowledge. issue process. Stewart went away, appar-Mr Murray: Do you not know that the Mr. Lawlor: At whose instance was it ently to get the money, and the papers point on which the judgment was set aside

It is not An experiment-but a Proved Success. Thousands of housekeepers who at first thought they never could use any shortening but lard, now use COTTOLENE and couldn't be induced to change, simply because it is better, cheaper and more healthful. The genuine has this trade mark -steer's head in cotton-plant wreathon every tin. Look for it. Made only by The N. K. Fairbank Company Wellington and Ann Sts., MONTREAL.

vere issued after that. Of my own know- was that the ledge I cannot say whether Stewart gave | negative the exceptions in the Act?

him the money or not.

persons peddling without license.

duty to do so under the law. Mr. John-

ston was collector of rates when acting in

the Malive case. John Fadil, as I know

him, is fairly well off; had considerable

property about him; lived in the Desmond

house and paid rent at our office. He was

a naturalised British subject at the time of

the Malive suit. I did not then know he

Mrs. Murray was in a poor state of health.

Mr. Murray: -Do you allege that in ad-

ourning to the house the magist rate showed

Witness:-I do, and it was against my

Mr. Murray :- At the time of the ad-

house, I called it an itinerent court.

Witness: I vigorously protested against

Mr. Murray : Didn't you say it in a loud

Mr. Murray: In what way did the ad-

Witness: Anything that tends to degrade

Mr Murray : Was not the community, in

article in the ADVANCE-which represents

Mr. Murray: Are you not aware that the

Mr Murray: You saw my mother when

Mr. Murray: Didn't she appear infirm.

Witness: I can't say so. I didn't

think so. I heard someone say she was

over seventy. I have never said injury was

done to the defendant's case by the ad-

ournment, altho' you know that I could

not have the same scope in cross examination

as in open court. I think the case would

have resulted in a conviction under the

testimony in any case-whether we had the

Mr. Murray: Was justice in any way

Objected to by Mr. Lawlor on the ground

that the question does not touch or affect the

Witness: I'm not prepared to say.

and legal decision and that was not done.

Mr Murray: Might not an injustice have

Witness: I'll answer a portion of that

very readily. The laws prescribe certain

wittnesses in courts or justice, and has made

ample provision to secure their testimony.

poena had been issued for the witness, or that

she was ill, aged or infirm; I, therefore, say

that no injustice would have been done had

dwelling, from what I know of having

Mr Murray: You state that as a lawyer?

Witness: I state this as a witness and as

aged or infirm or unable to attend before

Witness: I do. I believe the common

Mr Murray: Don't you know that the

having a certain knowledge of law.

proceedure to insure the attendance

been done to the public and informant if

that adjournment had not taken place?

Objected to. Allowed.

because he thus adjourned the court:

Witness: I can't speak positively.

learn from hearsay that they are not,

you went to the house?

Witness. I did.

adjournment or not.

defeated by that adjournment?

enquiry now being made. Allowed.

Justice means the rendering of a

Witness : No.

insolent language to the court?

Objected to by Mr Lawlor: Allowed. Cross examined by Mr. Murray:

Witness: I do not know of my 'own I think the first of the cases tried was the Malive case. I had not then been admitted to Mr Murray: Do you know it from your the bar. I was admitted attorney in Michaelagent? mas term 1893-about 8 or 10 months. I have Objected to. Allowed. a fair memory. I consider my recollection Witness: My agent informed me that

information.

Judge Vanwart said the point just stated may be laid by a collector of rates against was sufficient without going into other p I had submitted. Mr Murray: Can you give us another instance in the Malive case, in which the

magistrate showed prejudice. Witness: In the hearing of that case, you asked Johnston if he saw the spectacles Mrs Murray swore she bought, after he returned to the house, I objected to it and it was allowed. A question in relation had real property. My recollection is that to spectacles had been asked by you before you objected to John Fad il as bail, but I that and ruled out. [Witness referred to don't remember your stating on what other items of evidence admitted, which he grounds. I said to the magistrate it was thought showed prejudice.] I considered it for him, not for us to decide who should go grossly unfair for the magistrate, at the bail for Emily Malive. He accepted Fadil close of the trial, to give Mr Murray the as bail. I don't say he showed partiality right of reply, no witness having been called for the defence, as I told the court I relied Mr. Murray: Do you recollect my stating on the law, citing my cases and sitting down. any grounds for adjourning to the house for I omitted to ask for an acquittal, as I sat down. Mr Murray rose and moved for a Witness: I won't swear you didn't say conviction and claimed the reply, which the magistrate allowed him, and made me I recollect, however, that no affidavit was address the court before Mr Murray did. I produced showing she was unwell, infirm or attribute that to the magistrate's bias

In the Boyle case I made application for his release at dinner time as the court had no warrant or other process to hold him on.

The witness here stood aside. THOMAS COUGHLIN called and sworn, said :- I reside in Nelson journment did you act in a gentlemanly and am a laborer; was in the Chatham manner or an insolent manner towards the lockup about a year ago, on a charge of drunkenness; was fined; dou't recollect Witness: I protested against the court how much. It was some time before two adjourning; that I considered it an unheard- o'clock that I was tried; had been all night of proceeding; and I said, "why not adjourn in the lockup. Mr. Robert Murray, Mr to Smith's catamaran and go on a cruise Tweedie, Mr Menzies and Magistrate Mcdown river, and have a court there." On Cuiley were present in the court. After the way, going up and, perhaps, at the I was fined I was put in a cell in the lockup and released in about an hour. I did not Mr Murray:-Did you not use other pay my fine. Mr. Menzies told me he paid

Mr. Lawlor:--What were you to do for

the magistrate's course; in all probability, I said no other magistrate would do it; that Witness:--It was agreed between Mr. Menzies and me that I was to inform time he first gave you the proceedings, say a foreigner—through the streets in a against the person who sold me the liquor procession, headed by the police, to a private Mr. Thompson, who kept on the Muirhead house, simply because it happened to be the wharf. I gave evidence against Thompson dwelling of the mother of counsel for the and was released from custody. I got no prosecution and the mother-in-law of the money from Menzies. I don't think anyone complainant; that it was an outrage, and I else was present to overhear when Mr think the court reprimanded me for doing | Menzies and I made the arrangement. Mr so. I also made fun of the court in the McCulley was not present at any part of street on the way up. I spoke of the his- the conversation. I don't know whether tory of itinerant courts, and when we got the information against Thompson was to the house, just before we got to the door, lodged before I was taken into custody. I said as nearly as I can recollect: "We are After I was in the lockup I told Mr Mennew going on hallowed ground; this zies that I got liquor from Thompson. I building ought to be dedicated to justice, have never been asked for the fine imposed and if no one else will make the proclama. on me the first time. I was in the lockup

tion I will, and I said "Oyez! Oyez! again on circus day this summer. To Mr Murray: It was on the trial of Thompson that you and Mr Tweedie were present-not when I was tried for drunkenness. Mr McCalley had nothing to do with Witness: Not so very loud, but the the arrangement I made with Menzies. am not sure I sent Anthony Forrest for Menzies; it seemed all like one trial to me; it was all the same day. Thompson and I were in the lockup at the same time.

Adjourned until 10.30 Wednesday. WOOD-GOODS!

WE MANUFACTURE AND 'HAVE FOR SALE

your estimation, composed of R. B. Bennett? | Laths. Mr Murray: Do you know any others Palings, Witness: There was quite a lengthy Box-Shooks, Barrel Heading, Matched Flooring, Matched Sheathing.

Dimensioned Lumber.

Sawn Spruce Shingles. THOS. W. FLETT

NELSON. Shanty, Camp and Boat Stove.

From Miramichi Advance of Oct 11.1 Mr George Marquis of Chatham will be looked and others who may have the good fortune to pro cure stoves of the new pattern designed by him the first sample of which was put together at his well known shop at Chatham on Tuesday afternoor hat purpose as well as for heating and cooking in rmen's shanties it is just the thing It back and the same from bottom to top The battom, top, door and dampers, etc are of cast iron and the sheet steel It will hold nearly twice as much woor orm adopted in the bottom, it will burn either a heat at will The top has two pot-holes and places it within almost everbody's ability to buy Mr Marquis has just begun to fill orders, and it and gunners who want to be comfortable and, at he same time, have a stove on which they can do quite a range of cooking to place their orders with

FINAL NOTICE SCHOOL TAX.

I am instructed by Trustees to issue Executions for all School Taxes not paid this month, and theremay be saved to them, as under the new administration of the amalgamated districts, rates must be W. JOHNSTON

TYPEWRITER, &C. &C.

AGENT FOR "NEW YOST" TYPEWRITING COM PANY FOR NORTHERN COUNTIES.

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CHATHAM, N

BENSON BLOCK